

August 12, 2022

**VIA ECF**

The Honorable Nina Gershon  
United States District Court  
Eastern District of New York  
255 Cadman Plaza East  
Brooklyn, NY 11201

*In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation*  
*Case No. 18-md-2819-NG-LB*

**August 12, 2022 Status Report Regarding Claims Administration**

Dear Judge Gershon:

Class Counsel provides this report concerning the status of the claims administration process for the End-Payor Class.

Class Counsel and A.B. Data have continued to meet on a weekly basis to discuss the progress of claims submissions and administration. A.B. Data continues to receive claims at a steady rate and to respond to class member inquiries. No class members appear to have encountered any unusual difficulties submitting claims. A.B. Data is processing claims and conducting necessary follow-ups with claimants.

On July 28, 2022, Class Counsel reached out to entities that typically submit large TPP claims in similar actions but have not done so yet in this case to remind them of the August 11 deadline. Class Counsel has responded to inquiries from those TPPs and will continue to monitor the extent to which these entities have submitted claims.

As of August 8, 2022, the number of claims submitted on behalf of TPPs is 1,207 and the number of consumer claims is over 28,000. As in similar class action settlements, administrative service entities file claims on behalf of multiple individual TPPs. The claims rates A.B. Data has reported thus far are consistent with the claims rates observed by A.B. Data and Class Counsel in other end-payor pharmaceutical antitrust cases.

A.B. Data recently received a large volume of consumer claims that A.B. Data believes have indicia of being fraudulent. As in other end-payor pharmaceutical cases, A.B. Data investigates these claims by examining the identities of those who submitted the claims, checking claimants against lists of known fraudulent claimants and various sampling and testing methodologies. For example, A.B. Data is sending inquires to the contact information provided on the claim forms to determine whether the claims were, in fact, submitted by unique persons

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with valid claims. A.B. Data and Class Counsel will discuss the appropriate next steps once A.B. Data has investigated.

For the reasons set forth above, Class Counsel respectfully submits that the claims process in this matter is proceeding apace and without any notable or novel concerns.

Respectfully submitted,

/s/ *Scott Grzenczyk*

Scott Grzenczyk

cc: All Counsel via ECF